

Message Text

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ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 DODE-00 NSAE-00 USIA-06

TRSE-00 ERDA-05 CIAE-00 COME-00 ACDA-07 /039 W

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FM AMEMBASSY PARIS

TO SECSTATE WASHDC 8486

C O N F I D E N T I A L PARIS 26542

USOECD

EXCON

E.O. 11652: XGDS1

TAGS: ESTC, COCOM

SUBJ: NOTE 4 PROCEDURE

REFS: A) STATE 216643, B) PARIS 18466

1. UNDERSTANDING OF PROCEDURE PROVIDED FOR UNDER NOTE 4

TO IL L565 IN FYI PORTION OF REFTEL IS ERRONEOUS. DEPARTMENT'S ATTENTION IS CALLED TO DISCUSSION ON THIS TOPIC WHICH IS RECORDED IN PARAS 8 TO 13 OF COCOM DOC. DEF (77) 1565/6, PARAS 4 TO 8 OF COCOM DOC. DEF (77) 1565/13 AND PARAS 2 TO 4 OF COCOM DOC. DEF (77) 1565/14.

2. OUTCOME OF ABOVE IS THAT 30-DAY PERIOD PROVIDED UNDER NOTE 4 IS CONSIDERED TO BE MAXIMUM PERIOD, AND AS WITH NOTE 12 PROCEDURE, NO PROVISION FOR QUESTIONS OR TECHNICAL CLARIFICATIONS IS MADE. VIEW IS THAT 30-DAY PERIOD SHOULD SUFFICE TO RESOLVE ALL SUCH QUESTIONS. NEVERTHELESS, COMMITTEE HAS WORKED OUT PRACTICE WHERE BY IF QUESTIONS ARE POSED REASONABLY EARLY WITHIN 30-DAY PERIOD AND ANSWERS ARE NOT READILY FORTHCOMING CHAIRMAN WILL RULE THAT MATTER BE SET ASIDE PENDING RESPONSE (SEE CONFIDENTIAL

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COCOM DOC. DEF (77) 1565/24). WHERE, HOWEVER, QUESTIONS ARE POSED ON OR AROUND THE 30TH DAY, RESERVING DELEGATION IS HELD BY THE COMMITTEE TO BE IN DEFAULT OF COCOM RULES. IN SUCH CASE ONLY UNANIMOUS CONSENT OF THE COMMITTEE (NOT ONLY THE DELEGATIONS CONCERNED) IS REQUIRED FOR SUCH A TIME EXTENSION. (SEE COCOM DOC. DEF (77) 1565/13 AND 14 AND REFTEL. THIS ENTAILS COMMITTEE DEBATE AND OPENS UP

DELEGATION REQUESTING AN EXTENSION TO COMMITTEE'S CENSURE.
THE U.S. HAS ALREADY BEEN CRITICIZED FOR SUCH ACTION IN
THREE PREVIOUS REQUESTS.

3. REGARDING DANISH REQUEST IN COCOM DOC. DEF (77) 1565/
21, U.S. QUESTIONS WERE POSED ON 33RD DAY. UNDER THESE
CIRCUMSTANCES USDEL, INFORMALLY REQUESTED SECRETARIAT TO
DELAY ISSUANCE OF DOCUMENT ON OUTCOME OF DANISH REQUEST
(THIS WAS POSSIBLE ONLY BECAUSE OF COCOM RECESS AND FACT
THAT NO DELEGATION WAS PUSHING FOR ISSUANCE OF DOCU-
MENT) TO PERMIT U.S. AND DANISH DELS TO BILATERALLY RE-
SOLVE OUTSTANDING QUESTIONS REGARDING THE ELIGIBILITY
OF THIS EQUIPMENT FOR IN 20 LISTING. AS A RESULT U.S.
POSITION CONTAINED IN REFTTEL A WILL BE RECORDED AS IF
IT WERE PROVIDED ON 30TH DAY AND WITHIN PRESCRIBED PRO-
CEDURE. DANES HAVE AGREED TO REMOVAL OF ONE F82A PANEL
AND USDEL HAS STATED APPROVAL OF REQUEST ON THIS BASIS.

4. DEPARTMENT'S ATTENTION IS DRAWN TO THE FRENCH RE-
QUEST COCOM DOC. DEF (77) 156525 WHICH HAS A DATE
LIMITE OF SEPT 28. REQUEST HAS BEEN SCHEDULED FOR FIRST
DISCUSSION SEPT. 13. ANY QUESTION AS TO ELIGIBILITY OF
PROPOSED EQUIPMENT FOR NOTE 4 TREATMENT SHOULD BE SUB-
MITTED AS EARLY AS POSSIBLE. SALZMAN

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